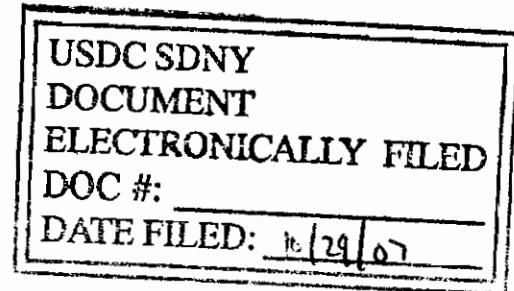


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Attorneys for Defendant
PRIMARY FREIGHT SERVICES, INC.
File: 213715



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MUTUAL MARINE OFFICE, INC.

Plaintiff(s),

- against -

M/V "MOL INITIATIVE", her engines,
boilers, etc., in rem; PRIMARY
FREIGHT SERVICES, INC., in personam;

Defendant(s).

07 Civ. 8363 (DLC)

ORDER AND STIPULATION
OF DISCONTINUANCE

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for plaintiff MUTUAL MARINE OFFICE, INC. and defendant PRIMARY FREIGHT SERVICES, INC., pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, that any and all claims, cross claims, counterclaims and third party claims in the above-referenced action be, and the same hereby is, discontinued with prejudice and without costs as against any party.

IT IS FURTHER STIPULATED AND AGREED, that in the event settlement is not consummated within thirty (30) days of the date of this Order, any party may re-open this matter upon letter application to the Court on a without prejudice basis.

So ordered. *[Signature]*
10/29/07

Dated: New York, New York
October 25, 2007

MCDERMOTT & RADZIK, LLP
Attorneys for Plaintiff
MUTUAL MARINE OFFICE, INC.

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File: 213715

SO ORDERED:

U.S.D.J.

Dated: